

AMENDED IN SENATE APRIL 9, 2012

**SENATE BILL**

**No. 1294**

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**Introduced by Senator Berryhill**

February 23, 2012

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An act to ~~amend Section 21570 of~~ *add Section 22900 to the Government Code, relating to public employees' retirement employee benefits.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1294, as amended, Berryhill. ~~Public employees' retirement. Public employee health benefits: Mariposa County.~~

*Existing law requires the Board of Administration of the Public Employees' Retirement System to administer the Public Employees' Medical and Hospital Care Act. Existing law requires a contracting agency and a public employee or annuitant to contribute a portion of the cost of the employee's or annuitant's health benefits coverage. Under existing law, the employee's or annuitant's contribution is the total cost per month of coverage less the portion contributed by the employer. Existing law prescribes a minimum level for the employer's contribution toward the employee's or annuitant's health benefits coverage.*

*This bill would authorize the County of Mariposa and the employees' exclusive representative to enter into an agreement providing that the employer's health benefit coverage contribution is subject to a memorandum of understanding agreed upon through collective bargaining or by a resolution adopted by a majority of the board of supervisors. Under the bill, the employer contribution under such an agreement could be higher than that required by statute. The bill would also authorize an agreement between the employees' exclusive*

*representative and the County of Mariposa that permits higher employer contribution for annuitants than for employees, except as specified.*

*This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Mariposa.*

~~Existing law provides for the payment of preretirement survivor benefits to the beneficiary of a deceased member of the Public Employees' Retirement System, as specified. Existing law also provides that no person shall receive more than one allowance of the preretirement survivor benefits.~~

~~This bill would make technical, nonsubstantive changes to those provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 22900 is added to the Government Code,  
2     to read:

3     22900. (a) Notwithstanding any other provision of this part,  
4     the County of Mariposa and the employees' exclusive  
5     representative may agree that the employer contribution for health  
6     coverage shall be subject to the following:

7     (1) A memorandum of understanding regarding health coverage  
8     mutually agreed upon through collective bargaining or a resolution  
9     adopted by a majority of the board, providing as follows:

10    (A) Establishing the amount of its employer contribution for its  
11    annuitants or employees at any amount equal to or above that of  
12    the adjusted employer contribution required by subdivision (b) of  
13    Section 22892.

14    (B) Providing an employer contribution amount for annuitants  
15    that is higher than the employer contribution provided for  
16    employees, except that any employer contribution may not be less  
17    than the adjusted employer contribution required by subdivision  
18    (b) of Section 22892.

19    (2) This subdivision shall not affect the obligations or benefits  
20    of either the annuitants or the county that exist at the time of the  
21    enactment of this section.

22    (b) This section shall not apply to any employee who retired  
23    before the effective date of the memorandum of understanding or  
24    resolution adopted pursuant to subdivision (a). If the memorandum

1 *of understanding or resolution establishes a retroactive effective*  
2 *date, this section shall apply only prospectively, and any employee*  
3 *who retires before the memorandum of understanding is signed*  
4 *or the resolution is adopted shall not be affected by that agreement.*

5 *(c) The County of Mariposa shall provide, in the manner*  
6 *prescribed by the board, a notification of the agreement established*  
7 *pursuant to this section and any additional information necessary*  
8 *to implement this section.*

9 *SEC. 2. The Legislature finds and declares that a special law*  
10 *is necessary and that a general law cannot be made applicable*  
11 *within the meaning of Section 16 of Article IV of the California*  
12 *Constitution because of the unique circumstances in the County*  
13 *of Mariposa with respect to public employer and employee*  
14 *contributions to health coverage.*

15 ~~SECTION 1. Section 21570 of the Government Code is~~  
16 ~~amended to read:~~

17 ~~21570. A person shall not receive more than one allowance~~  
18 ~~under this article and that allowance shall be the largest of the~~  
19 ~~monthly allowances to which he or she would otherwise be entitled.~~